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CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)			Docket No. 121027-0015
Applicant(s): Toshio KOBAYASHI, et al			
Application No. 09/652,396	Filing Date 08/31/2000	Examiner Elizabeth M. COLE	Group Art Unit 1771
Invention: NONWOVEN FABRIC AND METHOD FOR MAKING SAME			
<div>OFFICIAL</div> <div>RECEIVED CENTRAL FAX CENTER JUL 29 2004</div>			
I hereby certify that this <u>Response To Examiner's Amendment and Submission of Executed Declaration</u> (Identify type of correspondence)			
is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>703.872.9306</u>)			
on <u>07/29/2004</u> (Date)			
<div>Marilynn M. Peterson (Typed or Printed Name of Person Signing Certificate)</div> <div> (Signature)</div>			
Note: Each paper must have its own certificate of mailing.			

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NOTICE OF ALLOWANCE DATE: 05/13/2004
APPLICATION NUMBER: 09/652,396PATENT APPLICATIONIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group
Art Unit: 1771

Attorney
Docket No.: 121027-0015

Applicants: Toshio KOBAYASHI, et al

Invention: NONWOVEN FABRIC AND METHOD
FOR MAKING SAME

Serial No: 09/652,396

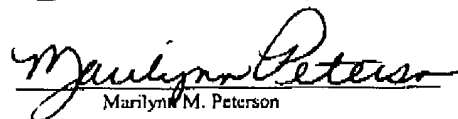
Filed: 08/31/2000

Examiner: Elizabeth M. COLE

Certificate Under 37 CFR 1.8(b)

I hereby certify that this correspondence is being
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on July 29, 2004


Marilyn M. PetersonRESPONSE TO EXAMINER'S AMENDMENT/COMMENT
DATED 05/13/2004SUBMISSION OF EXECUTED DECLARATION

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

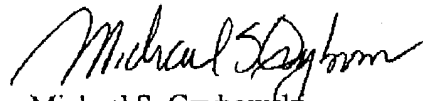
In response to the Examiner's Amendment/Comment mailed May 13, 2004 in connection with the above-identified application, enclosed herewith is a copy of the signed and dated Declaration from Parent Application Serial No. 09/220,223, from which the present application is a divisional application.

000121027/0015/115153-1

To the extent necessary, please charge the fees due in connection with the filing of this paper, to Deposit Account No. 12-2136 and please credit any excess fees to such deposit account.

It is believed that by submitting the signed and dated Declaration, the above-identified application is complete and may be allowed for issuance as a patent. *Accordingly, Applicant respectfully requests acknowledgment and acceptance of the enclosed Declaration in order to proceed with payment of the Issue and Publication fees due August 13, 2004.*

Respectfully submitted,



Michael S. Gzybowski
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Notice of Allowability**Application No.**

09/652,396

Examiner

Elizabeth M Cole

Applicant(s)

KOBAYASHI ET AL.

Art Unit

1771

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--
 All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Appel brief filed 2/11/04.
2. ☒ The allowed claim(s) is/are 4-9.
3. ☒ The drawings filed on 13 August 2000 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/220,223.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☒ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
 Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
 of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
 Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Elizabeth M Cole
 Elizabeth M Cole
 Primary Examiner
 Art Unit: 1771

Application/Control Number: 09/652,396

Art Unit: 1771

1. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:
It was not executed in accordance with either 37 CFR 1.66 or 1.68.

The date next to the signature of Inventor Naohito Takeuchi is omitted.

2. Applicant is now required to submit a substitute declaration or oath to correct the deficiencies set forth above. The substitute oath or declaration must be filed within the THREE MONTH shortened statutory period set for reply in the "Notice of Allowability" (PTO-37). Extensions of time may NOT be obtained under the provisions of 37 CFR 1.136. Failure to timely file the substitute declaration (or oath) will result in **ABANDONMENT** of the application. The transmittal letter accompanying the declaration (or oath) should indicate the date of the "Notice of Allowance" (PTOL-85) and the application number in the upper right hand corner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elizabeth M. Cole whose telephone number is (571) 272-1475. The examiner may be reached between 6:30 AM and 6:00 PM Monday through Wednesday, and 6:30 AM and 2 PM on Thursday.

Mr. Terrel Morris, the examiner's supervisor, may be reached at (571) 272-1478.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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The fax number for all official faxes is (703) 872-9306.

Elizabeth M. Cole
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